

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MALIBU MEDIA, LLC, : Case No. 1:15-cv-215
: Plaintiff, : Judge Timothy S. Black
vs. :
: JOHN DOE subscriber assigned :
IP address 174.101.230.158, :
: Defendant. :

**ORDER GRANTING JOHN DOE DEFENDANT
A PROTECTIVE ORDER TO PROCEED ANONYMOUSLY**

THIS CAUSE came before the Court *sua sponte*. Considering the sensitive nature of Plaintiff's allegations that the John Doe Defendant unlawfully downloaded adult movies, and being duly advised that Plaintiff does not oppose the entry of this Order, the Court hereby finds good cause exists for the Defendant to proceed anonymously in this lawsuit. The Court directs that the John Doe Defendant shall not be publicly identified by his or her true name or other identifying information, as the Defendant in this action, until further order of the Court. *See* Fed. R. Civ. P. 26(c) (permitting a court to enter a protective order to "protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense"). Plaintiff and Defendant's ISP are prohibited from publicly disclosing John Doe's personal identifying information absent further order by the Court.

Plaintiff is **ORDERED** to comply with the following filing procedures when filing an amended complaint. Plaintiff shall file an amended complaint, proposed summons, and Reference List, in that order. First, Plaintiff shall publicly file its amended

complaint, which must refer to Defendant only as John Doe and use the identifier provided in the Reference List for all other identifying information. After filing the amended complaint, Plaintiff shall confirm that the case flag on the docket sheet reads MALIBU-A before filing any additional documents. Plaintiff shall then proceed to file its proposed summons by selecting the Request for Issuance of Summons option located under the Service of Process menu. Plaintiff shall then file a Reference List by selecting the Reference List option located under the Other Documents menu. The Reference List shall contain Defendant's name and any other identifying information that Plaintiff deems necessary to the prosecution of its case, as well as an appropriate identifier that uniquely corresponds to each item listed. *See* Fed. R. Civ. P. 5.2(g). Provided that Plaintiff complies with these instructions, the proposed summons and Reference List will automatically be filed under seal. All subsequent documents shall be publicly filed and refer to the Defendant only as John Doe.

Plaintiff's counsel is directed to contact Chris Williams, Data Quality Supervisor in the Clerk's office at 614-719-3016 with any questions about complying with these filing procedures or if the case flag does not reflect MALIBU-A after the amended complaint is filed. In addition to serving Defendant with a copy of the summons and amended complaint, Plaintiff is **ORDERED** to simultaneously serve Defendant with a copy of this Protective Order. The summons return shall indicate that this Protective Order was served.

IT IS SO ORDERED.

Date: 4/16/2015

/s/Timothy S. Black
Timothy S. Black
United States District Judge